

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO *ex rel.*

State Engineer,

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

00 NOV -8 PM 3:39
2000

69cv07941 JC-ACE

CLERK-SANTA FE

RIO CHAMA STREAM SYSTEM

Rio Gallina, Section 5

ANSWER TO COMPLAINT FOR ADJUDICATION OF WATER RIGHTS

COMES NOW MARINO JACQUEZ (please print your full name)
MARINO JACQUEZ

and answers the complaint as follows:

<u>Subfile No</u>	<u>Object</u>	<u>Claim No Right</u>
CHGA-02-0042	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. In answer to Complaint: For each subfile listed above, please **initial** in one of the two boxes to indicate whether you object to the description of water right(s) contained in the State's proposed Consent Order, or whether you make no claim as to the water right(s) described in the State's proposed Consent Order.

If you object to the description of water right(s) and reject the State's proposed Consent Order, or if you make no claim as to the water right(s) set forth in the State's proposed Consent Order for any of the Subfile Numbers listed above, for each such Subfile Number please explain in the appropriate spaces below.

I object to the description of the water right(s) described by Subfile Number(s) CHGA-02-0042

because

it owns approximately 2 + acres east and north of our house. See attached affidavit and map. I agree with the remainder of the described water right, which were 1.1 acres and 9.6 acres for a total 10.7 acres.

6009

(Attach additional pages if necessary)

I made a good faith effort to resolve my disagreement with the State's proposed Consent Order by
going out to the field with the crew from
the State Engineer Office. I showed them the
lateral, where the water came from and how
I spread the water.

(Attach additional pages if necessary)

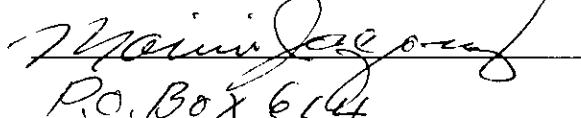
I claim no right for the water right(s) described by Subfile Number(s) _____
because _____

(Attach additional pages if necessary)

2. I understand that by making this claim and filing this document I am not waiving my rights to later raise, in an Amended Answer, any jurisdictional or affirmative defenses I may have.

Dated: 10-27-00

(Signature - MARINO JACQUEZ)


P.O. Box 6104

Cuba NM 87013

(Address: Print Clearly)

(505) 289-3814

(Phone Number: Print Clearly)

IMPORTANT: If you have been served with a summons and copy of the complaint in this action, or if you have waived service of process, you must file an answer in the United States District Court for the District of New Mexico within 20 days after being served with the summons and complaint, or if service of the summons has been timely waived on request under rule 4(d), within 60 days after the date when the request for waiver was sent, or within 90 days after that date if the defendant was addressed outside any judicial district of the United States. Any right you may have to use waters of the stream system may be adjudicated by default judgment in conformity with the State's proposed Consent Order if you fail to file an answer. The court's address is: 333 Lomas NW, Suite 270, Albuquerque, NM 87102, or P.O. Box 2384, Santa Fe, NM 87504. A copy of the answer filed with the district court must also be sent to the Office of the State Engineer, Legal Services Division, P.O. Box 25102, Santa Fe, NM 87504-5102.



Legend

- Irrigated Tract Boundary
- No Right Tract Boundary
- Operable Ditch
- Inoperable Ditch
- Stock Pond / Reservoir
- Point of Diversion

Scale
1 inch = 300 feet
100 0 100 200 300 Feet



STATE OF NEW MEXICO
Office of the State Engineer
Thomas C. Turney, State Engineer

Rio Chama Hydrographic Survey
RIO GALLINA SECTION

Subfile Number
CHGA-020042
Cordova/Martinez Ditch
AMENDED Sept. 26, 2000

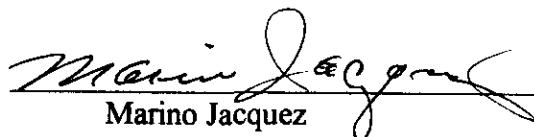


Affidavit of Marino Jacquez

State of New Mexico)
) ss
County of Rio Arriba)

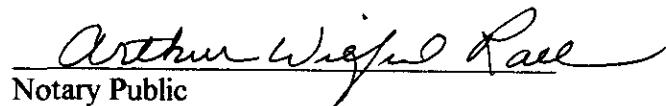
Being duly sworn I state that;

1. My name is Marino Jacquez.
2. I always irrigate the area marked on the attached aerial photo when water is available.
3. This tract was part of Andres Jacquez tract on the 1923 Declaration for the Cordova-Martinez Ditch.



Marino Jacquez

SUBSCRIBED AND SWORN TO BEFORE ME BY Marino Jacquez ON THIS
27th DAY OF OCTOBER, 2000.



Notary Public

My commission expires June 7, 2003